

Report Date: February 21, 2008

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**MAR 18 2008**JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender***(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Oscar Cervantes

Case Number: 2:08CR06007-001

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley

Date of Original Sentence: 5/5/2007

Type of Supervision: Supervised Release

Original Offense: Possession With Intent to Distribute
Less Than 50 Kilograms of Marihuana, 21 U.S.C. §
841(a)(1) and 841(b)(1)(D)

Date Supervision Commenced: 5/29/2007

Original Sentence: Prison - 34 Months; TSR - 36
Months

Date Supervision Expires: 6/5/2010

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 17 You shall complete 40 hours of community service work, at the rate of not less than 16 hours per month at a not-for-profit site approved in advance by the supervising probation officer. The hours are to be completed no later than 8/31/2008.

CAUSE

Mr. Cervantes is currently in the Franklin County Jail serving a 6-month commitment for a district court matter he had previous to his instant offense. Prior to entering confinement on January 2, 2008, Mr. Cervantes had several noncompliance issues. A transfer of jurisdiction was requested from the Southern District of Texas. The transfer was completed on February 8, 2008.

Mr. Cervantes violated his term of supervised release by failing to report for drug testing as required on November 29, 2007; December 17, 2007; and December 27, 2007. He also had three urinalysis tests which were positive for marijuana on November 30, 2007; December 5, 2007; and December 13, 2007. In addition, Mr. Cervantes attempted to use a "whizzinator" device to alter his urinalysis on November 30, 2007.

This is Mr. Cervantes' first violation process and since he will be in confinement until his tentative release date of May 5, 2008, a modification to his conditions is requested. In addition, Mr. Cervantes will be obtaining a substance abuse assessment and will enter into treatment. Arrangements will be made with the local treatment provider to have Mr. Cervantes complete his substance abuse assessment upon his release from custody, so he begins treatment immediately. He will continue to submit to random drug testing, and he will be expected to find employment while completing his community service hours.

Prob 12B

Re: Cervantes, Oscar

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

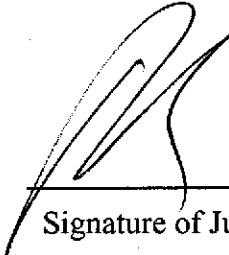
2-27-08

San Juanita B. Coronado

San Juanita B Coronado
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other



Signature of Judicial Officer

March 18, 2008

Date